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JUL 10 2008

DEPARTMENT OF
WATER RESOURCES

FILED-301
CASE #1

2008 JUL -8 AM 10:03

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

DUANE SMITH, CLERK
DEPUTY

A&B IRRIGATION DISTRICT,

Petitioner,

vs.

THE IDAHO DEPARTMENT OF WATER
RESOURCES,

Respondent.

CASE NO. CV-2008-465

ORDER APPROVING
STIPULATION AND DISMISSING
PETITION WITHOUT PREJUDICE

IN THE MATTER OF THE PETITION FOR
DELIVERY CALL OF A&B IRRIGATION
DISTRICT FOR THE DELIVERY OF
GROUND WATER AND FOR THE
CREATION OF A GROUND WATER
MANAGEMENT AREA

On July 3, 2008, the parties filed a *Stipulation for Dismissal and Joint Motion for Order Approving Stipulation and Dismissing Petition Without Prejudice*. The Court, having reviewed the *Stipulation* and being fully informed as to the issues raised, hereby approves the *Stipulation* and ORDERS that Petitioner A&B Irrigation District's *Petition* be dismissed in its entirety without prejudice pursuant to the terms of the *Stipulation*. Each party to bear its own costs and attorneys fees.

DATED this 7th day of July 2008.



Hon. Michael Crabtree
District Judge

FILED-CLERK
CASE #.

2008 JUL -8 AM 11:51

DUANE SMITH, CLERK
DEPUTY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 8 day of Julyy, 2008 , she caused a true and correct copy of the foregoing ORDER APPROVING STIPULATION AND DISMISSING PETITION WITHOUT PREJUDICE to be served upon the following persons in the following manner:

Defendant's Counsel

Roger D. Ling
ATTORNEY AT LAW
P.O. BOX 628
Rupert, ID. 83350

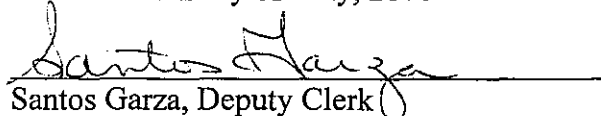
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Plaintiff's Counsel

Phillip J. Rassier
DEPUTY ATTORNEY GENERAL
P.O. Box 83720
Boise, ID. 83720-0098

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Dated this 8th day of July, 2008


Santos Garza, Deputy Clerk